

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of :

Oswald BAASCH et al.

Serial No.: 10/751,638

Filed: January 6, 2004

Examiner: Dinh Q. NGUYEN

Group Art Unit: 3752

Confirmation No.: 3102

For: FUEL INJECTOR NOZZLE ADAPTOR

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.132
TO OBVIATE PROVISIONAL DOUBLE PATENTING REJECTION
OVER PRIOR APPLICATION**

Sir:

Holley Performance Products, the owner of the entire interest in the instant application, as a Continuation of U.S. Application No. 10/286,843, which is a Continuation-in-Part of U.S. Application No. 09/964,779 (as evidenced by the assignment recorded on February 10, 2004, at Reel 014966, Frame 0381), hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent issuing from U.S. Application No. 10/286,843, the entire interest in said prior patent being owned by said Holley Performance Products as a Continuation-in-Part of U.S. Application No. 09/964,779 (as evidenced by the assignment recorded on February 10, 2004, at Reel 014966, Frame 0381). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issuing from

U.S. Application No. 10/286,843 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and §173 of any patent issuing from U.S. Application No. 10/286,843, as presently shortened by any terminal disclaimer, in the event that any patent issuing from U.S. Application No. 10/286,843 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A check in the amount of \$130.00 for the fee under 37 C.F.R. § 1.20(d) covering the cost of filing this Terminal Disclaimer is attached. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

By:



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Dated: 12/12/04

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